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**SEP 08 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Gardner et al. :  
Application No. 09/886,444 :  
Filed: June 21, 2001 :  
Title: Automated Imaging with Phosphorescent :  
Imaging Targets :

**ON PETITION**

This is a decision on the petition under 37 CFR §1.137(a) to revive the patent application filed August 10, 2004, September 6, 2005 and June 27, 2006. This petition is properly treated as a petition to withdraw the holding of abandonment.

The petition filed under 37 CFR 1.137(a) is **Dismissed as Moot**.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application became abandoned for failure to timely submit a response to the final Office Action mailed November 24, 2003. The Notice set an extendable 3 month period for reply. No extensions of time pursuant to 37 CFR 1.136(a) were obtained. Accordingly, this application was held abandoned on February 25, 2005. A Notice of Abandonment was mailed on June 30, 2004.

Petitioner asserts that the final Office Action mailed on November 24, 2003 was never received. Petitioner attest that the Office Action was never received. Petitioner states a search of the file jacket and docket records confirms the Office Action was not received. In support of petitioner's contention, a copy of applicant's records have been provided.

This application is being forwarded to Art Unit 2877 for re-mailing of the Office Action. The three month extendable time period for reply will be set to run from the mailing date of the Office Action.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with the first name "Charlema" being more prominent than the last name "Grant".

Charlema R. Grant  
Petitions Attorney  
Office of Petitions